

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

ERIC O'KEEFE, and
WISCONSIN CLUB FOR GROWTH, INC.,

Case No. 14-CV-139

Plaintiffs,

v.

FRANCIS SCHMITZ, in his official and personal capacities,
JOHN CHISHOLM, in his official and personal capacities,
BRUCE LANDGRAF, in his official and personal capacities,
DAVID ROBLES, in his official and personal capacities,
DEAN NICKEL, in his official and personal capacities, and
GREGORY PETERSON, in his official capacity,

Defendants.

**STATE FARM FIRE AND CASUALTY COMPANY'S MOTION TO
INTERVENE, BIFURCATE AND STAY**

Proposed Intervenor State Farm Fire and Casualty Company ("State Farm"), not yet a party to this action, by and through its attorneys, Meissner Tierney Fisher & Nichols S.C., hereby moves the Court for an Order:

1. Allowing State Farm to intervene in the above-captioned matter for purpose of seeking Declaratory Judgment with regard to coverage for Defendant Bruce Landgraf under insurance policies issued to him by State Farm;
2. Bifurcating the insurance coverage issues from the underlying liability and damage issues; and
3. Staying proceedings with regard to the underlying liability and damage claims against the Defendants pending resolution of the insurance coverage claims.

This motion is based on Federal Rule Civil Procedure 24(a)(2) and 42(b), the accompanying Brief in Support of Motion to Intervene, Bifurcate and Stay, the record on file in this action, and applicable federal and Wisconsin law.

Dated this 12th day of March 2014.

MEISSNER TIERNEY FISHER & NICHOLS S.C.

By: s/Mark D. Malloy

Mark D. Malloy
State Bar No: 1035066
mdm@mtfn.com

**Attorneys for Proposed Intervenor,
State Farm Fire and Casualty Company**

Mailing Address

111 East Kilbourn Avenue, 19th Floor
Milwaukee, WI 53202-6622
(414) 273-1300
Facsimile: (414) 273-5840